

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY  D.C.

05 MAY 26 PM 5:35

ROBERT R. ALTICHO
CLERK, U.S. DIST. CT.
FED. OF TN, MEMPHIS

**ZACHARY ROBBINS, a minor, by and
through his parents, YVONNE ROBBINS
and DANNY ROBBINS, Individually,**

Plaintiffs,

vs.

No. 04-1294-JDT-tmp

**SUSAN WALLACE, Individually, and
HENDERSON COUNTY BOARD OF
EDUCATION,**

Defendants.

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

MOTIONS TO AMEND PLEADINGS AND JOIN PARTIES:

for Plaintiff:	August 31, 2005
for Defendant:	September 30, 2005

DISCOVERY:

- (a) REQUESTS FOR PRODUCTION, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: January 31, 2006
 - (i) Each party is limited to thirty (30) interrogatories
- (b) EXPERT DISCLOSURE (Rule 26(a)(2)):
 - (i) Plaintiff's Experts: January 15, 2006
 - (ii) Defendant's Experts: February 15, 2006
 - (iii) Plaintiff's Rebuttal Experts: March 3, 2006

- (c) DEPOSITIONS: May 19, 2006
 - (i) Maximum of fifty (50) depositions by each party
 - (ii) Each deposition is limited to a maximum of two (2) seven (7) hour days
- (d) SUPPLEMENTATION: Supplementation under Rule 26(e) due as required by the Federal Rules of Civil Procedure but no less than sixty (60) days before the date of trial without leave of court or by agreement of the parties.

FILING DISPOSITIVE MOTIONS: June 12, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: August 11, 2006
- (b) for Defendant: August 28, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 10 to 15 days and is SET for JURY TRIAL beginning September 11, 2006 at 9:30 a.m. A joint pretrial order is due on August 28, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial. A pretrial conference may be scheduled upon request of the parties.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded the pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is

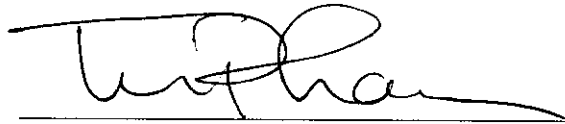
necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Tu M. Pham', is written over a horizontal line.

TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

APPROVED FOR ENTRY:

By: Charles M. Purcell by TBM with permission
Charles M. Purcell (#12461)
Jennifer K. Craig (#20036)
Attorney for Henderson County Board of Education
Waldrop & Hall, P.A.
106 South Liberty Street
Jackson, Tennessee 38301
(731) 424-6244

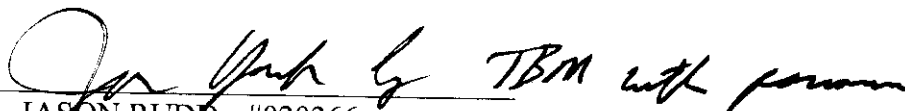
By: J. Brandon McWherter
J. Brandon McWherter (#21600)
Attorney for Plaintiffs
Spragins, Barnett, Cobb & Butler
P.O. Box 2004
Jackson, Tennessee 38302
731-424-0461

By: Russell E. Reviere by TBM with permission
Russell E. Reviere (#07166)
Rainey, Kizer, Reviere & Bell
105 S. Highland
Jackson, Tennessee 38301
731-423-2414

By: Larry L. Crain by TBM with permission
Larry L. Crain (#9040)
Law Office of Brentwood
5214 Maryland Way, Suite 402
Brentwood, Tennessee 37027-5071
615-376-2600

PENTECOST, GLENN & RUDD

By:

A handwritten signature in black ink, appearing to read "Jason York by TBM with permission". The signature is written over a horizontal line.

JASON RUDD - #020266

JON YORK - #123106

106 Stonebridge Boulevard

Jackson, TN 38305

731-668-5995



Notice of Distribution

This notice confirms a copy of the document docketed as number 29 in case 1:04-CV-01294 was distributed by fax, mail, or direct printing on May 27, 2005 to the parties listed.

Lewis L. Cobb
SPRAGINS BARNETT COBB & BUTLER
312 East Lafayette St.
Jackson, TN 38302--200

Jennifer Craig
WALDROP & HALL
106 S. Liberty Street
P.O. Box 726
Jackson, TN 38302--072

Clinton H. Scott
SPRAGINS BARNETT COBB & BUTLER
312 East Lafayette St.
Jackson, TN 38302--200

Jason B. Rudd
PENTECOST GLENN & RUDD, PLLC
106 Stonebridge Blvd.
Jackson, TN 38305

Russell E. Reviere
RAINEY KIZER REVIERE & BELL
209 E. Main Street
Jackson, TN 38302--114

Jon A. York
PENTECOST GLENN & RUDD, PLLC
106 Stonebridge Blvd.
Jackson, TN 38305

Charles M. Purcell
WALDROP & HALL
106 S. Liberty Street
P.O. Box 726
Jackson, TN 38302--072

James Brandon McWherter
SPRAGINS BARNETT COBB & BUTLER
P.O. Box 2004
Jackson, TN 38302--200

Honorable James Todd
US DISTRICT COURT